

FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV. 12-29-99)		ATTORNEY'S DOCKET NO. KEL01 P-139
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/508754
INTERNATIONAL APPLICATION NO. PCT/EP03/03174	INTERNATIONAL FILING DATE March 24, 2003	PRIORITY DATE CLAIMED March 22, 2002
TITLE OF INVENTION COMPOUNDS USEFUL AS PHOTODYNAMIC THERAPEUTIC AGENTS		
APPLICANT(S) FOR DO/EO/US Donal O'Shea, John Killoran, William Gallagher		
Applicant(s) herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9), and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>a. <input type="checkbox"/> is attached hereto.</p> <p>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet Under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 – 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input type="checkbox"/> Other items or information:</p>		

US APPLICATION NO. (if known, see 37 CFR 1.5) <div style="font-size: 24pt; font-weight: bold; text-align: center;">10/508754</div>	INTERNATIONAL APPLICATION NO. PCT/EP03/03174	ATTORNEY'S DOCKET NO. KEL01 P-139
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21. ■ The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492(a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO..... \$1080.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(2)-(4) \$100.00 <div style="text-align: center;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div> Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;">CLAIMS</th> <th style="width: 20%;">NUMBER FILED</th> <th style="width: 20%;">NUMBER EXTRA</th> <th style="width: 20%;">RATE</th> <th style="width: 20%;"></th> <th style="width: 20%;"></th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>20 - 20 =</td> <td>0</td> <td>x \$ 18.00</td> <td>\$</td> <td></td> </tr> <tr> <td>Independent claims</td> <td>3 - 3 =</td> <td>0</td> <td>x \$ 86.00</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$290.00</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS</td> <td>=</td> <td>\$1050.00</td> </tr> </tbody> </table> ■ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½. <div style="text-align: right; margin-top: 10px;">SUBTOTAL = \$ 525.00</div> Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). <div style="text-align: right; margin-top: 10px;">TOTAL NATIONAL FEE = \$525.00</div> Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property <div style="text-align: right; margin-top: 10px;">TOTAL FEES ENCLOSED = \$525.00</div>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			Total claims	20 - 20 =	0	x \$ 18.00	\$		Independent claims	3 - 3 =	0	x \$ 86.00	\$		MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$290.00	\$		TOTAL OF ABOVE CALCULATIONS				=	\$1050.00	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: left; padding: 5px;">CALCULATIONS PTO USE ONLY</th> </tr> <tr> <td style="width: 50%; height: 150px;"></td> <td style="width: 50%;"></td> </tr> <tr> <td style="text-align: center; vertical-align: middle;">\$920.00</td> <td></td> </tr> <tr> <td style="text-align: center; vertical-align: middle;">\$130.00</td> <td></td> </tr> <tr> <td style="text-align: center; vertical-align: middle;">\$</td> <td></td> </tr> <tr> <td style="text-align: center; vertical-align: middle;">\$</td> <td></td> </tr> <tr> <td style="text-align: center; vertical-align: middle;">\$</td> <td></td> </tr> <tr> <td style="text-align: center; vertical-align: middle;">\$1050.00</td> <td></td> </tr> <tr> <td style="text-align: center; vertical-align: middle;">\$ 525.00</td> <td></td> </tr> <tr> <td style="text-align: center; vertical-align: middle;">\$ 525.00</td> <td></td> </tr> <tr> <td style="text-align: center; vertical-align: middle;">\$</td> <td></td> </tr> <tr> <td style="text-align: center; vertical-align: middle;">\$525.00</td> <td></td> </tr> <tr> <td style="text-align: center; vertical-align: middle;">\$525.00</td> <td></td> </tr> <tr> <td style="text-align: center; vertical-align: middle;">Amount to be refunded:</td> <td style="text-align: center; vertical-align: middle;">\$</td> </tr> <tr> <td style="text-align: center; vertical-align: middle;">charged:</td> <td style="text-align: center; vertical-align: middle;">\$</td> </tr> </table>	CALCULATIONS PTO USE ONLY				\$920.00		\$130.00		\$		\$		\$		\$1050.00		\$ 525.00		\$ 525.00		\$		\$525.00		\$525.00		Amount to be refunded:	\$	charged:	\$
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a. ☒ A check in the amount of \$ 525.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 22-0190 in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 22-0190. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit Card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

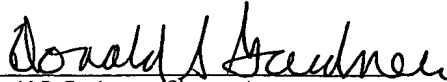
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Donald S. Gardner
Van Dyke, Gardner, Linn & Burkhart, LLP
PO Box 888695
2851 Charlevoix Drive, S.E., Suite 207
Grand Rapids, Michigan 49588-8695

Telephone No. (616) 975-5502

Facsimile No. (616) 975-5505 email: gardner@vglb.com


Donald S. Gardner (Signature)
Registration No. 25 975

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PATENT

KEL01 P-139

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Donal O'Shea, John Killoran, William Gallagher
International App. No. : PCT/EP03/03174
For : COMPOUNDS USEFUL AS PHOTODYNAMIC
THERAPEUTIC AGENTS

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

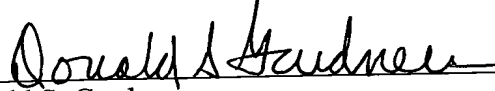
Dear Sir:

CERTIFICATE OF EXPRESS MAIL

I certify that the attached return postcard; Transmittal Letter Form PTO-1390 (in duplicate); Patent Application Bibliographic Data Form; PCT International Application No. PCT/EP03/03174 consisting of 25 pages of application and twelve (12) sheets of drawings; International Publication Cover Sheet; Declaration (unsigned); Preliminary Amendment with attached new Abstract; and a check in the amount of \$525.00 for the filing fee are being deposited with the United States Postal Service as Express Mail in an envelope having Express Mail Label Number EV532745914US addressed to:

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

on September 22, 2004.


Donald S. Gardner
Reg. No. 25 975
Van Dyke, Gardner, Linn & Burkhardt, LLP
P.O. Box 888695
Grand Rapids, MI 49588-8695
(616) 975-5502

DSG/ram
Enclosures